REMARKS

Claims 28 and 47 are canceled. Claims 27, 29-46 and 48 are amended. Entry, reconsideration and allowance of claims 27, 29-46 and 48-52 is respectfully requested in light of the accompanying Request for Continued Examination and in view of the following remarks:

Responses to Rejections to Claims – 35 U.S.C. §102

Claims 27-41 and 46-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai et al (U.S. Patent Publication No. 2004/0193648) (Lai hereinafter). Applicants can find no specific reference to claim 52 in the Office Action, and respectfully assume that claim 52 was also rejected under 35 U.S.C. 102(e).

Amended claim 27 includes "retrieving digital media content from a content provider, wherein the retrieving is performed by a processor of a personal computer; performing a digital rights management function associated with an authorized user resulting in authorized digital media content, wherein the digital rights management function is performed by the processor of the personal computer; storing the authorized digital media content in a memory of the personal computer; and providing the authorized digital media content via a user interface to a thin media client without performing a digital rights management function on the thin media client, wherein the providing is performed by the personal computer."

The USPTO provides MPEP § 2131 that states: "To anticipate a claim, the reference must teach every element of the claim."

Therefore, to support these rejections with respect to claim 27, Lai must contain all of the above-claimed elements. However, this reference does not teach retrieving digital media content from a content provider, wherein the retrieving is performed by a processor of a personal computer; performing a digital rights management function associated with an authorized user resulting in authorized digital media content, wherein the digital rights management function is performed by the processor of the personal computer; and providing the authorized digital media content via a user interface to a thin media client without performing a digital rights management function on the thin media client, wherein the providing is performed by the personal computer.

Instead, Lai teaches a collection of servers for fetching, transcoding, and streaming media content to the viewer client. According to Lai, a "machine farm 216 includes a plurality of individual servers" including "transmitter servers 220 that fetch the source data for the requested media content, transcoder servers 218 that transcode the source data to the appropriate

destination type, and streaming servers 222 that stream the transcoded media content to the viewer client 102." col. 10, lines 30-37; *see also* Lai at Fig. 2. Thus, Lai does not teach a single personal computer that retrieves the digital media content, performs the digital rights management function, and provides the authorized digital media content.

Additionally, Lai does not teach storing authorized digital media content in a memory of a personal computer, wherein the personal computer is the same personal computer that retrieved the digital media content from a content provider. Instead, Lai teaches a transcoding engine that includes a machine farm, a computer network, and a variety of other components. Lai teaches storing content in a transcoded cache and storing content in a master archive, both of which are not part of a personal computer that retrieved the digital media content, performed the digital rights management function, and provided the authorized media content. According to Lai "[t]he transcoding cache 212 is used by the media transcoding engine 106 to store a copy of requested media content after it has been transcoded" and "when the content provider wishes to store the encoded media file in an archive within the media transcoding engine 106, the content provider delivers the media file to the content provider Web server interface 204 via the content provider client 104. At step 308, after the content provider Web server interface 204 receives the encoded media file, it transmits the file to the master archive 214 for archival within the media transoding engine 106." col. 12, lines 9-13; col. 13, lines 11-19.

As a result, the previous rejections based on 35 U.S.C. §102(e) cannot be supported by Lai as applied to claim 27. Independent claim 27 is submitted to be allowable. Independent claims 40 and 46 are submitted to be allowable for similar reasons as independent claim 27. Accordingly, the USPTO's burden of factually supporting a rejection under 35 U.S.C §102(e) clearly cannot be met with respect to claims 27, 40 and 46, and to the claims that depend therefrom.

Responses to Rejections to Claims – 35 U.S.C. §103

Claims 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai in view of John C. Platt (U.S. Patent No. 6,987,221) (Platt hereinafter). This rejection is not applicable to the claims.

As the PTO recognizes in MPEP §2142:

> The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the Examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

The USPTO clearly cannot establish a *prima facie* case of obviousness in connection with the amended claims for the following reasons:

35 U.S.C. §103(a) provides that:

> [a] patent may not be obtained...if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.... (emphasis added)

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. However, the references, alone, or in any combination, do not teach a ground switch that is operable to interrupt a current to a device in response to the current being greater than a predefined value and after the current to the device has been interrupted in response to the current being greater than the predefined value enable the current to the device in response to the current failing to be higher than the predefined value during a predefined time interval.

As discussed above, Alberkrack fails to teach key limitations of claims 27, 40 and 46, from which claims 29-39, 41-45 and 48-52 depend. Even if Platt did teach the limitations as described in the Office Action, Platt would still teach nothing to overcome the deficiencies of Lai, and the Office Action has made no argument to the contrary.

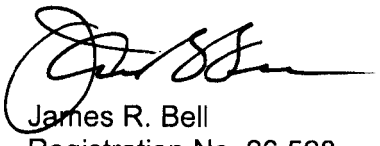
Therefore, it is impossible to render the subject matter of the claims as a whole obvious based on a single reference or any combination of the references, and the above explicit terms of the statute cannot be met. As a result, the USPTO's burden of factually supporting a *prima facie* case of obviousness clearly cannot be met with respect to the claims, and a rejection under 35 U.S.C. §103(a) is not applicable.

Therefore, independent claims 27, 40 and 46, and their respective dependent claims are submitted to be allowable.

The amendments are supported by the specification.

In view of all of the above, the allowance of claims 27, 29-46 and 48-52 is respectfully requested.

Respectfully submitted,



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